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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 RAMON AVENDANO-SOTO and
JORGE ALFREDO SOTO,
15
16 Defendants.

Case No. 2:20-CR-003-APG-EJY
**STIPULATION TO CONTINUE
EVIDENTIARY HEARING**
(Fifth Request)

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18 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou,
19 Acting United States Attorney, and Melanee Smith, Assistant United States Attorney, counsel
20 for the United States of America, and Rene L. Valladares, Federal Public Defender, and
21 Raquel Lazo, Assistant Federal Public Defender, counsel for Ramon Avendano-Soto, and
22 Christopher Oram, counsel for Jorge Alfredo Soto, that the Evidentiary Hearing currently
23 scheduled on Thursday, May 13, 2021 at 9:30 am, be vacated and continued to a date and time
24 convenient to the Court, but no sooner than forty-five (45) days.

25 This Stipulation is entered into for the following reasons:
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1 1. The government and Mr. Avendano have negotiated a plea agreement in this
2 matter and Mr. Avendano's change of plea hearing is currently set for June 1, 2021. ECF No.
3 82. As such, the parties request this Court continue the evidentiary hearing on the motion to
4 suppress for 45 days so that Mr. Avendano may plead guilty prior to withdrawing his
5 motion. After Mr. Avendano pleads guilty, the defense will file a notice to withdraw the motion
6 to suppress.

7 2. Mr. Soto has not similarly entered into negotiations with the government.
8 Mr. Soto has indicated that he wishes to proceed with the evidentiary hearing as it pertains to
9 his motion to suppress (ECF No. 37). However, he does not oppose continuing the hearing to
10 permit Mr. Avendano to plea.

11 3. Continuing the hearing as to both defendants would promote judicial economy.
12 Although it is anticipated that Mr. Avendano will plead guilty, should Mr. Avendano not go
13 forward with the plea hearing, one evidentiary hearing can be held as to both defendants'
14 motions to suppress. Their motions raise similar issues.

15 3. The defendants are not in custody and agree with the need for the continuance.

16 4. The parties agree to the continuance.

17 This is the fifth request for continuance filed herein.

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1 DATED this 27th day of April 2021.

2 RENE L. VALLADARES
3 Federal Public Defender

CHRISTOPHER CHIOU
Acting United States Attorney

4 */s/ Raquel Lazo*
5 By _____

6 RAQUEL LAZO
Assistant Federal Public Defender

/s/ Melanee Smith
By _____

MELANEE SMITH
Assistant United States Attorney

7 */s/ Christopher R. Oram*
8 By _____
9 CHRISTOPHER R. ORAM
Counsel for Jorge Alfredo Soto

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 RAMON AVENDANO-SOTO and
7 JORGE ALFREDO SOTO,

8 Defendant.
9

Case No. 2:20-CR-003-APG-EJY

ORDER

10 Based on the Stipulation of counsel and good cause appearing,

11 IT IS THEREFORE ORDERED that the Evidentiary Hearing currently scheduled on
12 Thursday, May 13, 2021 at the hour of 9:30 a.m., be vacated and continued to
13 July 27, 2021 at the hour of 9:30 a.m., in Courtroom 3C.

14 DATED this 27th day of April 2021.

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17 UNITED STATES MAGISTRATE JUDGE